



## NEBRASKA STATE RECORDS BOARD

### MINUTES

#### Meeting of August 5, 2008

**Agenda Item 1. CALL TO ORDER, ROLL CALL.** The meeting was called to order by Chairman John A. Gale at 9:00 A.M. on August 5, 2008, in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John A. Gale, Secretary of State, State Records Administrator and Chairman;  
Lauren L. Hill, representing the Governor;  
Leslie S. Donley, representing the Attorney General;  
Michael D. Foley, Auditor of Public Accounts;  
Jerry A. Catlett, representing the Banking Industry;  
Thomas D. Freimuth, representing the Legal Profession;  
Lauren F. Riedesel, representing Libraries  
Timothy L. Loewenstein, Representing the General Public;  
Michael P. Edgcombe, representing the Media

Absent:

John P. Curry, representing the Insurance Industry;  
Brenda L. Decker, representing the Director of Administrative Services;  
Shane J. Osborn, State Treasurer

Staff in attendance:

Josh Daws, IT Officer;  
Kacey Nelkin Pedersen, Recording Clerk;  
Ron Moravec, Legal Counsel;  
Cathy Danahy, Executive Director

**Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETING ACT.** Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting are located in the back of the meeting room. Also, a copy of the Nebraska Open Meetings Act is located in the back of the meeting room.

**Agenda Item 3. NOTICE OF HEARING.** Chairman Gale announced public notice of the meeting was given by posting notice in the Lincoln Journal Star newspaper on July 3, 2008 and the state's website public meeting calendar. A copy of the Notice and Affidavit of Publication by the printer is to be included in the Board records. A current copy of the agenda has been kept in the Secretary of State's office listing the date, time and location of the meeting

**Agenda Item 4. ADOPTION OF AGENDA.** Mr. Catlett moved to adopt the agenda; motion seconded by Mr. Foley.

Voting For:	Catlett Freimuth Riedesel	Donley Gale	Edgecombe Hill	Foley Loewenstein
Voting Against:	None			
Absent:	Curry	Decker	Osborn	

The motion carried.

**Agenda Item 5. APPROVAL OF MINUTES.** Mr. Loewenstein moved to approve the April 29, 2008 meeting minutes; motion seconded by Ms. Riedesel.

Voting For:	Catlett Freimuth Riedesel	Donley Gale	Edgecombe Hill	Foley Loewenstein
Voting Against:	None			
Absent:	Curry	Decker	Osborn	

The motion carried.

**Agenda Item 6. PUBLIC COMMENT.** Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on any of the agenda items. No audience member indicated a desire to come forward.

**Agenda Item 7. CHAIRMAN'S REPORT.**

**7. f. Introduce new Board members.** Chairman Gale proceeded to item 7.f so Mr. Seaman would be able to be recognized before a schedule conflict required him to leave the meeting. Chairman Gale introduced and welcomed two new Board members appointed by Governor Heineman. He presented them with a welcome letter and certificate of appointment from Governor Heineman. Julie A. Beno will represent the Library community and Mr. Ryne D. Seaman will represent the Banking industry replacing Ms. Riedesel and Mr. Catlett respectively. Ms. Beno and Mr. Seaman's terms will begin August 6, 2008.

Treasurer Osborn arrived at the meeting.

**7. a. Signed Addendum Six to the Interagency Agreement between the NE Supreme Court and the NE State Records.** Chairman Gale reported Addendum Six to the Interagency Agreement between the NE Supreme Court and the NE State Records Board was signed on June 2, 2008. Brent Hoffman, General Manager, Nebraska.gov, explained Addendum Six and that Addendum Six replaces Addendum Three.

**7. b. Appoint Network Manager RFP Draft Subcommittee and appoint RFP Evaluation Subcommittee.** Chairman Gale explained the two subcommittees to be appointed. He reported Ms. Brenda Decker has agreed to serve on both subcommittees. He asked if Mr. Foley and Mr. Osborn would consider serving on a subcommittee and both indicated interest. He reported he has had discussions with Ms. Bev Neth, Director of the Department of Motor Vehicles (DMV), as to the availability of Mr. Keith Dey (DMV) to serve on both committees since his expertise was utilized on the last RFP. He recommended including a representative of the DMV since they are the largest stakeholders of the State's website. The following Board members who expressed interest in serving on a committee were: Mr. Loewenstein, Mr. Osborn, Mr. Foley, Mr. Edgecombe and Mr. Freimuth. Chairman Gale will make appointments to these committees later this week.

**7. c. 2009 Network Contract Request for Information (RFI) Report & Request for Proposal (RFP) Timeline update.** Mr. Greg Lemon, Independent Contractor, discussed the RFI for the network manager. He indicated one vendor Guru Alliance proposed a list of questions and one vendor Nebraska Interactive, Inc. responded to the RFI. He indicated there was no RFI designed the last time the contract was up for bid; only an RFP was prepared. Mr. Lemon recalled there were 6-8 RFP responses in 2003.

Mr. Lemon explained the new timelines for the RFP process. The timelines for the preparation of the RFP were moved up to allow time for any Board review, discussion and updates. Review of the previous RFP, review of the RFI response, and initial draft composition of the new RFP will begin in August instead of September. Vote by the full Board will take place at the next Board meeting in November instead of December. Mr. Lemon hopes to have the first RFP draft for the Board's review no later than November 1, 2008.

**7. d. NI Pricewaterhouse Annual Audit.** Chairman Gale distributed the 2006-2007 audit of Nebraska Interactive, Inc. as required by the Contract for Network Services. Chairman Gale will assign the review of this audit to the Finances Review Subcommittee. Ms. Hill, Mr. Curry, Ms. Riedesel and Mr. Catlett currently make up the Finances Review Subcommittee. Since Mr. Catlett and Ms. Riedesel are leaving the Board today, Chairman Gale will add Mr. Foley and reconstitute this committee. The committee will report back to the Board at the November 18, 2008 Board meeting.

**7. e. Recognize Outgoing Board Members.** Chairman Gale recognized Ms. Lauren Riedesel, representing the Library community and Mr. Jerry Catlett, representing the Banking Industry. On behalf of the Board, Chairman Gale thanked Ms. Riedesel and Mr. Catlett for their outstanding service the past six years. They each received a letter of appreciation from Governor Heineman for their service and a certificate of appreciation from Chairman Gale along with a commemorative paper weight. Both Ms. Riedesel and Mr. Catlett expressed their appreciation to the Governor for the opportunity to serve and commended the members for their hard work.

## **Agenda Item 8. GENERAL COUNSEL'S REPORT**

Mr. Moravec commented on the report on the Nebraska State Records Board Grants Approved as of 06/30/2008 since the inception of the program in 1999. The report indicated the number of State Agency, Local Agency and Reinvested Revenue grants as well as the total dollars awarded. The report will be included in the *NSRB Policies and Guidelines* notebook and updated each fiscal year end.

**8. a. b. & c. State/Local Grant Status Report; Reinvested Revenue Report & Cash Fund Balance.** Mr. Moravec gave the State/Local Grant Status report, the Reinvested Revenue report and the Cash Fund Balance report. In the Cash Fund Balance Report he pointed out a steep rise in the month of May, 2008 for Personal Services (\$22,765.31), which is considerably higher than other months for this expenditure. Some personal services salaries were not taken out each month for fiscal year 2007. The adjustment for the year was made in May, 2008 and subsequent months will be considerably less.

Mr. Foley pointed out the Grant Balance Remaining total of \$136, 519.58 was some \$49,000 different when totaling the Balance Remaining column. He indicated his staff went back to prior reports and found differences when totaling balances. Mr. Moravec said he and the staff would go back through the reports and meet with Mr. Foley next week to correct the reports.

Chairman Gale indicated local government participation in the grant program has been going up where the state agency involvement is declining. He suggested working with Mr. Brent Hoffman, General Manager, Nebraska.gov, to encourage state agency participation. Regarding profit/loss, he reported the cash fund is not making money nor losing money. However, with expenses predicted to rise, the Board should be careful to not diminish the cash fund. He said the Board should encourage agencies to take on revenue producing projects. Mr. Loewenstein moved to approve the Cash Fund Balance report; no second was heard. Mr. Foley suggested the approval of the Cash Fund Balance report be tabled until the grant encumbrance balance is corrected. Mr. Loewenstein withdrew his motion. Mr. Loewenstein moved to table the approval of the Cash Fund report until the next Board meeting; seconded by Mr. Foley.

Voting For:	Catlett Freimuth Osborn	Donley Gale Riedesel	Edgecombe Hill	Foley Loewenstein
Voting Against:	None			
Absent:	Curry	Decker		

The motion carried.

Ms. Hill left the meeting.

### **Agenda Item 9. GRANT REPORTS**

**9. a. & b. Library Commission Grant Report – *Memories on the Road* and State Treasurer’s Grant Report – *NebraskaSpending .com*.** Ms. Cathy Danahy, Executive Director, indicated the two reports included in the member packets are the first reports received since the Board voted in January, 2008 to require reports from grant recipients after their projects were completed.

Ms. Danahy discussed the grant report received in July, 2008 from the Library Commission. The *Memories on the Road* project was awarded in January, 2008. The report discussed accomplishments to date on the completed grant project and thanked the Board for their support. She also discussed the report received in July, 2008 from the State Treasurer. *The NebraskaSpending.com* grant was awarded in January, 2008. The report discussed details of the success of the project including letters of commendation. Treasurer Osborn commented further on the success of the project and personally thanked the Board for their support in approving and funding the grant.

### **Agenda Item 10. NEBRASKA.GOV REPORTS**

**10. a. & b. General Manager’s Report & Project Priority Report.** Mr. Hoffman presented an executive summary of the General Manager’s Report. Mr. Hoffman presented the Project Priority Report for approval. Mr. Hoffman discussed the new state website and the new Nebraska.gov logo. He indicated revenues were up 18% over last year. He reported two new developers were being hired. Ms. Riedesel commended Nebraska.gov on the excellent comments they received in the Post Project Survey included in the packets. Mr. Hoffman said the surveys are given to the client one month after completion of a project. Mr. Freimuth asked Mr. Hoffman for an update on the VISA issue and the merchant service provider, 1<sup>st</sup> National Bank of Omaha. Mr. Hoffman indicated there has been no change to date and said Mr. Perry

Pirsch of Treasurer Osborn's office has kept Nebraska.gov updated on this issue. Treasurer Osborn said he hopes VISA will revisit this issue soon and that it becomes a moot point. Mr. Loewenstein expressed concern over the outage report supplied by Nebraska.gov. Mr. Hoffman clarified that the local service provider, Windstream, initially experienced a hardware failure on May 18, 2008, then on May 19, 2008 the local service provider experienced a router failure. The incident required 14-16 hours to rectify. Neither the OCIO nor Nebraska.gov had any control over either occurrence. Mr. Loewenstein said he hoped Mr. Hoffman and/or Ms. Decker will be asking Windstream why it took so long to fix. Mr. Loewenstein said he may meet with Ms. Decker about this incident.

Mr. Hoffman presented the Project Priority Report and gave an update on the Business One-Stop project. He said the committee involved with the Business One-Stop project evaluated the login processes in order to look at incorporating the login to new NITC policies. Progress continues with the Business One-Stop project and the first application, Business Annual Filings, is scheduled to be launched the first quarter of 2009. Ms. Riedesel moved to approve the Project Priority Report; seconded by Ms. Donley.

Voting For:	Catlett Freimuth Riedesel	Donley Gale	Edgecombe Loewenstein	Foley Osborn
Voting Against:	None			
Absent:	Curry	Decker	Hill	

The motion carried.

Ms. Hill returned to the meeting.

Seeing Ms. Bev Neth, Director, Department of Motor Vehicles (DMV), in the audience, Chairman Gale invited her to come forward and speak to the Board. Ms. Neth identified several projects Nebraska.gov has developed for DMV. She indicated the on-line driver's license reinstatement program and the specialty license plate program had adoption rates of over 50% in the first month. These on-line programs have improved DMV's business processes tremendously. She said they are very excited about the IFTA program currently being worked on. Regarding the RFP for a network manager, she stated the importance of business continuity, adding DMV cannot have an interruption of service. She agreed to allow Keith Dey (DMV Information Technology) to participate on both the RFP Draft Subcommittee and the RFP Evaluation Subcommittee.

#### **Agenda Item 11. CONTRACTOR'S REPORT**

Mr. Bill Bidrowski gave the Independent Contractor's report. Mr. Bidrowski's contract will end August 27, 2008. Chairman Gale thanked Mr. Bidrowski in assisting everyone in bringing the grant projects which were behind schedule up to date. Mr. Bidrowski thanked the Board and the Secretary of State's staff for their cooperation and assistance in accomplishing his goals.

#### **Agenda Item 12. DATE FOR NEXT MEETING.**

Chairman Gale announced the date of the next Records Board meeting will be November 18, 2008. He asked Kacey Nelkin Pedersen to contact Board members to schedule a potential date in December, 2008 in the event a Board meeting is needed to finalize and approved the RFP for the network manager to be released in January, 2008.

**Agenda Item 13. ADJOURNMENT.**

Mr. Catlett moved to adjourn the meeting; seconded by Ms Riedesel. Chairman Gale declared the meeting adjourned at 11:00 A.M.

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John A. Gale  
Secretary of State  
State Records Administrator  
Chairman, State Records Board